| 81 (Official   | Form 1)(1/(                        |                              | United<br>Mid                                |  |                                    |                                     |  |  |                       |                     | Volunt   | tary I             | Petition         |
|--|------------------------------------|------------------------------|--|--|------------------------------------|-------------------------------------|--|--|-----------------------|---------------------|--|--------------------|------------------|
| Middle District of Tennessee  Name of Debtor (if individual, enter Last, First, Middle):  MCALLISTER, DARIN LEE  |                                    |                              |  |  |                                    |                                     | Name of Joint Debtor (Spouse) (Last, First, Middle):   |  |                       |                     |  |                    |                  |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):   |                                    |                              |  |  |                                    |                                     |  | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):   |                       |                     |  |                    |                  |
| (if more than  | one, state all)                    |                              | vidual-Taxpa                                 | ayer I.D. (  | (ITIN) No./0                       | Complete E                          | IN Last for  | our digits o   |                       | r Individual-7      | Гахрауег I.D. (П                                   | IN) No./           | /Complete EIN    |
| xxx-xx-4252 Street Address of Debtor (No. and Street, City, and State): 9576 HAMPTON RESERVE DRIVE Brentwood, TN   |                                    |                              |  |  |                                    |                                     |  | Street Address of Joint Debtor (No. and Street, City, and State):  |                       |                     |  |                    |                  |
|  |                                    |                              |  |  |                                    | ZIP Code<br>37027                   |  |  |                       |                     |  | Г                  | ZIP Code         |
| County of R<br>Williams  |                                    | of the Prin                  | cipal Place o                                | f Busines:   |                                    | 31021                               | Count  | y of Reside  | nce or of the         | Principal Pla       | ace of Business:                                   |                    |                  |
| -  | ALLORY I                           |                              | rent from str<br>0 355                       | eet addres   | ss):                               |                                     |  | Mailing Address of Joint Debtor (if different from street address):  |                       |                     |  |                    |                  |
|  |                                    |                              |  |  | Γ:                                 | ZIP Code<br>37067                   |  |  |                       |                     |  | Г                  | ZIP Code         |
|  | Principal As<br>from street a      |                              | siness Debtor<br>ve):                        | •  |                                    |                                     |  |  |                       |                     |  |                    |                  |
|  | • •                                | Debtor                       |  |  |                                    | of Business                         |  |  | _                     | _                   | tcy Code Unde                                      |                    |                  |
|  | (Form of O                         | rganization)<br>one box)     |  | _  | lth Care Bu                        | one box)<br>siness<br>eal Estate as | defined  | the Petition is Filed (Check one box)  Chapter 7  Chapter 9  Chapter 15 Petition for Recognition   |                       |                     |  |                    |                  |
| ☐ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP)  ☐ Partnership  |                                    |                              |  | in 1 Rail Stoo   | 1 U.S.C. §                         | 101 (51B)                           | dermed   | □ Chapter 9 □ Chapter 15 Petition □ Chapter 11 □ Chapter 12 □ Chapter 15 Petition □ Chapter 12 □ Chapter 15 Petition □ Chapter 12 □ Chapter 15 Petition □ Chapter 13 □ Chapter 15 Petition |                       |                     |  | Proceeding for Rec | ing<br>cognition |
|  | f debtor is not<br>s box and state |                              |  | Oth  | er                                 |                                     |  | Nature of Debts (Check one box)  |                       |                     |  |                    |                  |
| T (CI) Debtor i under T  |                                    |                              |  | Tax-Exempt Entity (Check box, if applicable) rebtor is a tax-exempt organizate ander Title 26 of the United State ode (the Internal Revenue Cook |                                    |                                     | ■ Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as business debts.  "incurred by an individual primarily for           |  |                       |                     |  |                    |                  |
| ☐ Full Fili  | ng Fee attac                       | 0                            | ee (Check or                                 | ne box)  |                                    |                                     |  |  | a small busin         |                     | <b>Debtors</b> defined in 11 Upper as defined in 1 |                    |                  |
| Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. |                                    |                              |  |  |                                    | or Check                            | Check if:  ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. |  |                       |                     |  |                    |                  |
| ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.  |                                    |                              |  |  |                                    | Check                               |  |  |                       |                     |  |                    |                  |
| ■ Debtor e   | estimates tha                      | t funds will<br>t, after any | ation be available exempt prop for distribut | erty is ex   | cluded and                         | administrat                         |  | es paid,   |                       | THIS                | SPACE IS FOR C                                     | OURT U             | SE ONLY          |
| Estimated N  1- 49   | lumber of Ci<br>50-<br>99          | reditors  100- 199           |  | 1,000-<br>5,000  | 5,001-<br>10,000                   | 10,001-<br>25,000                   | 25,001-<br>50,000  | 50,001-<br>100,000   | OVER 100,000          |                     |  |                    |                  |
| Estimated A  \$0 to \$50,000   | \$50,001 to<br>\$100,000           | \$100,001 to<br>\$500,000    | to \$1                                       | \$1,000,001<br>to \$10<br>million  | \$10,000,001<br>to \$50<br>million | \$50,000,001<br>to \$100<br>million | \$100,000,001<br>to \$500<br>million   | \$500,000,001<br>to \$1 billion  | More than \$1 billion |                     |  |                    |                  |
| Estimated L \$0 to \$50,000  | \$50,001 to \$100,000              | \$100,001 to<br>\$500,000    | \$500,001<br>to \$1                          | \$1,000,001<br>to \$10   | \$10,000,001 to \$50               | \$50,000,001 to \$100               | \$100,000,001<br>to \$500  | \$500,000,001<br>to \$1 billion  | More than \$1 billion |                     |  |                    |                  |
|  | Case 3                             | <del>3:09-bk</del>           | <del>07728</del>                             | Doc  | _                                  | ed 07/1                             | 3/03   | Entere   | <del>d 07/13</del>    | <del>/09 10:1</del> | 9:56 De  | <del>sc M</del>    | <del>ain</del>   |
|  |                                    |                              |  |  | Do                                 | cumen                               | it Pa  | age 1 o  | f 8                   |                     |  |                    |                  |

| B1 (Official For   | m 1)(1/08)   |  | Page 2  |  |  |  |
|--|--|--|---|--|--|--|
| Voluntar   | y Petition   | Name of Debtor(s):  MCALLISTER, DAR  | IN I EE                                       |  |  |  |
| (This page mu  | st be completed and filed in every case)   | MOALLIOTER, DAR  |   |  |  |  |
|  | All Prior Bankruptcy Cases Filed Within Las  | t 8 Years (If more than two  | , attach additional sheet)                    |  |  |  |
| Location<br>Where Filed:   | - None -   | Case Number:   | Date Filed:                                   |  |  |  |
| Location<br>Where Filed:   |  | Case Number:   | Date Filed:                                   |  |  |  |
| Pe   | nding Bankruptcy Case Filed by any Spouse, Partner, or   | Affiliate of this Debtor (If   | more than one, attach additional sheet)       |  |  |  |
| Name of Debt - None -  | or:  | Case Number:   | Date Filed:                                   |  |  |  |
| District:  |  | Relationship:  | Judge:  |  |  |  |
| forms 10K a<br>pursuant to S<br>and is reques  | Exhibit A  sletted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)  A is attached and made a part of this petition.  | I, the attorney for the petiti have informed the petition 12, or 13 of title 11, United under each such chapter. I required by 11 U.S.C. §34:  X /s/ David F. Canr | on July 13, 2009                              |  |  |  |
|  |  | Signature of Attorney for Debtor(s) (Date)  David F. Cannon  |   |  |  |  |
|  | Exh  | nibit C  |   |  |  |  |
|  | or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.  | pose a threat of imminent and  | identifiable harm to public health or safety? |  |  |  |
| Exhibit If this is a join  | leted by every individual debtor. If a joint petition is filed, ea<br>D completed and signed by the debtor is attached and made  | a part of this petition.   |   |  |  |  |
|  | Information Regardin   | ng the Debtor - Venue  |   |  |  |  |
| •  | (Check any appropriate the control of the control o | oplicable box) al place of business, or prin   |   |  |  |  |
|  | There is a bankruptcy case concerning debtor's affiliate, go   |  |   |  |  |  |
| Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. |  |  |   |  |  |  |
|  | Certification by a Debtor Who Reside<br>(Check all app   |  | al Property                                   |  |  |  |
|  | Landlord has a judgment against the debtor for possession  |  | x checked, complete the following.)           |  |  |  |
|  | (Name of landlord that obtained judgment)  |  |   |  |  |  |
|  |  |  |   |  |  |  |
|  | (Address of landlord)  Debtor claims that under applicable nonbankruptcy law, the  | nere are circumstances unde  | r which the debtor would be permitted to cure |  |  |  |
|  | the entire monetary default that gave rise to the judgment.  Debtor has included in this petition the deposit with the co  | for possession, after the jud  | gment for possession was entered, and         |  |  |  |
|  | after the filing of the petition.  Debtor certifies that he/she has served the Landlord with the served the served the Landlord with the served the serv | his certification. (11 U.S.C.  | § 362(l)).                                    |  |  |  |
|  | ase 3:09-bk-07728  | 00 Entered 07/13   | 2/00 10·10·56 Desc Main                       |  |  |  |

B1 (Official Form 1)(1/08) Page 3

### **Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

### MCALLISTER, DARIN LEE

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### **X** /s/ DARIN LEE MCALLISTER

Signature of Debtor DARIN LEE MCALLISTER

X.

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

July 13, 2009

Date

### Signature of Attorney\*

### X /s/ David F. Cannon

Signature of Attorney for Debtor(s)

### David F. Cannon

Printed Name of Attorney for Debtor(s)

### Attorney at Law

Firm Name

346 21st Ave North Nashville, TN 37203

Address

# Email: dcannon@davidcannon.net (615) 321-8787 Fax: (615) 620-7340

(013) 321-0/0/ Fax: (

Telephone Number

July 13, 2009 Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Case 3:09-bk-07728 Doc 1

Filed 07/13/00

Document

Entered 07/13/09 10:19:56
Page 3 of 8

MOALLIOTED DADING F

### Signatures

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

v

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

# **United States Bankruptcy Court Middle District of Tennessee**

|                                     | Midd   | le District of Tennessee   |  |   |
|-------------------------------------|--|--|--|---|
| In re                               | DARIN LEE MCALLISTER   |  | Case No.   |   |
|                                     |  | Debtor(s)  | Chapter  | 7   |
|                                     |  |  |  |   |
|                                     | EXHIBIT D - INDIVIDUAL DEB'<br>CREDIT COU  | TOR'S STATEMENT<br>JNSELING REQUIRE  |  | ANCE WITH   |
| can di<br>credit<br>anoth           | Warning: You must be able to check teling listed below. If you cannot do so, y smiss any case you do file. If that happeors will be able to resume collection acter bankruptcy case later, you may be resteps to stop creditors' collection activit  | you are not eligible to feels, you will lose what ivities against you. If yequired to pay a second                 | file a bankrup<br>ever filing fee<br>your case is dis  | tcy case, and the court<br>you paid, and your<br>smissed and you file             |
| and fi                              | Every individual debtor must file this Ex<br>le a separate Exhibit D. Check one of the f   |  |  | -   |
| opporta                             | ■ 1. Within the 180 days <b>before the filin</b> eling agency approved by the United State tunities for available credit counseling and ficate from the agency describing the serve debt repayment plan developed through the server the debt repayment plan developed through the server the serv | es trustee or bankruptcy<br>I assisted me in performices provided to me. <i>Att</i>                                | administrator t<br>ing a related b   | hat outlined the udget analysis, and I have                                       |
| opport<br>not ha<br>certifi         | □ 2. Within the 180 days <b>before the filin</b> eling agency approved by the United State tunities for available credit counseling and we a certificate from the agency describing cate from the agency describing the service appears through the agency no later than 15 described.   | es trustee or bankruptcy<br>I assisted me in perform<br>g the services provided to<br>ese provided to you and      | administrator to the state of t | hat outlined the udget analysis, but I do at file a copy of a debt repayment plan |
| circun                              | □ 3. I certify that I requested credit counthe services during the five days from the astances merit a temporary waiver of the consummarize exigent circumstances here.]   | time I made my reques<br>redit counseling require  | st, and the follo  | wing exigent  |
| agenc<br>through<br>extensi<br>Your | If your certification is satisfactory to to the first 30 days after you file your barry that provided the counseling, together gh the agency. Failure to fulfill these recision of the 30-day deadline can be grant case may also be dismissed if the court is without first receiving a credit counseling   | nkruptcy petition and r with a copy of any dequirements may result ted only for cause and is not satisfied with yo | promptly file<br>bt manageme<br>in dismissal of<br>is limited to a   | a certificate from the nt plan developed of your case. Any maximum of 15 days.    |
|                                     | ☐ 4. I am not required to receive a credit tent.] [Must be accompanied by a motion] opyright (c) 1996-2009 Best Case Solutions - Evanston, IL - (800) 492-803.   | for determination by the   |  | ck the applicable  Best Case Bankruptcy   |

| B 1D(Official Form 1, Exhibit D) (12/08) - Cont.  |
|---|
| ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or  |
| mental deficiency so as to be incapable of realizing and making rational decisions with respect to  |
| financial responsibilities.);   |
| ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being   |
| unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or   |
| through the Internet.);   |
| ☐ Active military duty in a military combat zone.   |
| □ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district. |
| I certify under penalty of perjury that the information provided above is true and correct.   |
| Signature of Debtor: /s/ DARIN LEE MCALLISTER DARIN LEE MCALLISTER  |
| Date: <u>July 13, 2009</u>  |

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Best Case Bankruptcy

## **United States Bankruptcy Court Middle District of Tennessee**

| In re        | DARIN LEE N   | <b>ICALLISTER</b>   |   |   | Case No.             | . <u> </u>  |
|--------------|---|---|---|---|----------------------|---|
|              |   |   | Debtor(s)   | (   | Chapter              | 7   |
|              | DIS   | SCLOSURE OF CO  | OMPENSATION OF  | ATTORNEY F  | OR DE                | EBTOR(S)  |
| cc           | ompensation paid  | to me within one year before  |   | oankruptcy, or agreed   | to be pai            | the above-named debtor and that<br>d to me, for services rendered or to<br>llows: |
|              | For legal servi   | ces, I have agreed to accept.   |   | \$  |                      | 1,000.00  |
|              | Prior to the fili   | ing of this statement I have i  | eceived   | \$  |                      | 500.00  |
|              | Balance Due   |   |   | \$  |                      | 500.00  |
| 2. TI        | he source of the co   | ompensation paid to me was  | :   |   |                      |   |
|              | Debtor  | ☐ Other (specify):  |   |   |                      |   |
| 3. TI        | he source of comp   | pensation to be paid to me is   | :   |   |                      |   |
|              | Debtor  | ☐ Other (specify):  |   |   |                      |   |
| <b>4</b> . ■ | I have not agree  | ed to share the above-disclos   | sed compensation with any otl   | ner person unless they  | are mem              | bers and associates of my law firm.   |
|              |   |   | compensation with a person of the names of the people sha   |   |                      | or associates of my law firm. A ched.   |
| 5. Ir        | n return for the abo  | ove-disclosed fee, I have ag  | reed to render legal service for  | all aspects of the bar  | ıkruptcy c           | ase, including:   |
| b.<br>c.     | Preparation and<br>Representation of<br>[Other provision<br>Routine I | filing of any petition, sched<br>of the debtor at the meeting<br>as as needed]<br>bankruptcy services not | and rendering advice to the de<br>ules, statement of affairs and p<br>of creditors and confirmation<br>rmally rendered for debto<br>ney-Client Representation | plan which may be red<br>hearing, and any adjo<br>rs in the Middle Di | quired;<br>urned hea |   |
| 6. B         | Services  | excluded are non-routing  | closed fee does not include the ne services not normally bed in the Attorney-Clien  | rendered for debto  |                      | e Middle District of Tennessee<br>ent.  |
|              |   |   | CERTIFICATIO  | N   |                      |   |
|              |   | egoing is a complete statement  |   | gement for payment to   | me for re            | epresentation of the debtor(s) in   |
| Dated:       | July 13, 2009   | 9   | /s/ David   | F. Cannon   |                      |   |
|              |   |   |   | Cannon  |                      |   |
|              |   |   | Attorney<br>346 21st  | Ave North   |                      |   |
|              |   |   |   | e, TN 37203   | 620 724              | n   |
|              |   |   |   | I-8787 Fax: (615)<br>ı@davidcannon.ne                                 |                      | U   |

DARIN LEE MCALLISTER 2000 MALLORY LANE 130 355 FRANKLIN TN 37067

AMEX

P.O. BOX 981535 EL PASO TX 79998-1535

BAC HOME LP/COUNTRYWIDE 450 AMERICAN ST. SIMI VALLEY CA 93065

FIRSTSOURCE ADVANTAGE 205 BRYANT WOODS SOUTH BUFFALO NY 14228

FORD CREDIT
P.O. BOX 105697
ATLANTA GA 30348-5697

FOX COLLECTION CENTER-NES 456 MOSS TRAIL GOODLETTSVILLE TN 37072

GEMB/LOWE P.O. BOX 981064 EL PASO TX 79998-1064

NISSAN MOTOR CORPORATION PO BOX 650680 DALLAS TX 75265-0680

RECONTRUST COMPANY
2380 PERFORMANCE DR
BLDG D, MAIL STOP-RGV-D7-450
RICHARDSON TX 75082

SUNTRUST COMMERICAL CREDIT SER PO BOX 4418 ATLANTA GA 30302

SUNTRUST BANK, INC C/O FINKLESTEIN, KERN, STEINBURG, AND CUNNINGHAM 1810 AILOR AVE KNOXVILLE TN 37921

VERIZON
ONE ALPHARETTA PLACE
RECOVERY DEPT
ALPHARETTA GA 30004

VERIZON WIRELESS P.O. BOX 105378 ATLANTA GA 30348